

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN DEWEY LIM,

Plaintiff,

vs.

US MARSHALS, JOHN DOE #1, and
JOHN DOE #2,

Defendants.

8:16CV254

MEMORANDUM AND ORDER

Based on the court's record, Plaintiff was given until February 23, 2017 to serve the complaint, filed on June 6, 2016, on the United States of America. To date the complaint has not been served on Defendants and Defendants has not voluntarily appeared. The court entered an order requiring Plaintiff to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution, and warned that absent a timely response, this case may be dismissed without further notice. (Filing No. 16). The court attempted to serve a copy of the show cause order on Plaintiff, but the mail was returned as "refused." The deadline for responding to the show cause order was April 14, 2017. No response or other communication from Plaintiff has been filed.

Accordingly,

IT IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, pursuant to 28 U.S.C. § 636(b), that the complaint be dismissed for failure of service and want of prosecution.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

Dated this 24th day of April, 2017.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge